



1129 Northern Boulevard, Suite 404, Manhasset, NY 11030 Glevy@glpcfirms.com (347) 941-4715

July 22, 2025

Hon. Judge Gregory H. Woods  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 7/22/2025

**MEMORANDUM ENDORSED**

RE: **PICON v. SO ICY, INC.**  
**DOCKET NO. 1:25-cv-990**

Dear Judge Woods:

The undersigned represents Plaintiff Yelitz Picon in the above-referenced matter. I write to provide a status update and respectfully request that the upcoming conference be cancelled and that Plaintiff be granted 30 days to move for default judgment.

Since my last letter to the Court (Doc. 7), I was able to speak with an employee of So Icy, Inc., but I have not received any response from someone authorized to discuss this case. Accordingly, Plaintiff requests that the conference be cancelled and that the Court grant 30 days to move for default judgment in accordance with Your Honor's rules.

Thank you for your time and consideration on this matter.

Respectfully,  
/s/ Gabriel A. Levy

Application granted. The initial pretrial conference scheduled for July 30, 2025 is adjourned *sine die*. The Court expects that any application for an order to show cause why default judgment should not be entered in this matter will be filed no later than August 21, 2025. The Court expects that any application for an order to show cause why default judgment should not be entered will fully comply with the Court's Individual Rules, specifically Attachment A to the Individual Rules of Practice in Civil Cases. The Court reminds the parties that in order for the Court to enter default judgment, the Court must determine whether Plaintiff's allegations establish liability as a matter of law, accepting factual allegations as true, except those relating to damages, and drawing all reasonable inferences in Plaintiff's favor. *See Finkel v. Romanowicz*, 577 F.3d 79, 84 (2d Cir. 2009). The Court's decision in *Sookul v. Fresh Clean Threads, Inc.*, 754 F. Supp. 3d 395 (S.D.N.Y. 2024), may be instructive as to whether the Court can find liability in this case. Plaintiff is directed to serve a copy of this order on Defendant and to retain proof of service. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 9.

SO ORDERED.

Dated: July 22, 2025  
New York, New York

GREGORY H. WOODS  
United States District Judge